

NAS Report on Underage Drinking - Recommendations on Limiting Access

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| <ol style="list-style-type: none"> 1. Minimum drinking age laws of each state should include certain provisions 2. States should strengthen their compliance check programs, including notification of retailers concerning the program and follow-up communication to them about the outcome for their outlet 3. Enforcement agencies should issue citations for violations of underage sales laws, with substantial fines and temporary license suspensions for first offenses and increasingly stronger penalties thereafter (license revocation after 3 offenses) 4. Communities and states should implement media campaigns in conjunction with compliance check programs 5. States should require all sellers and servers of alcohol to complete state-approved training 6. States should strengthen dram shop liability statutes (capacity for lawsuits against licensed alcohol retailers who serve an underage or visibly intoxicated person) 7. States that allow internet sales and home delivery of alcohol should take specific actions to reduce likelihood of sales to underage purchasers (require packages to be labeled, require delivery persons to card and record info, require signed statement from recipient) 8. States and localities should implement enforcement programs to deter adults from purchasing alcohol for minors (including using loitering ordinances to prevent youth from recruiting adult buyers in the parking lot) | <ol style="list-style-type: none"> 1. Maine law contains all the recommended provisions 2. Maine's compliance checks began for the first time in January 2003, but have been suspended as of June 2003 due to the elimination of the Bureau of Liquor Enforcement. Discussions are underway between OSA, the AG's Office and the Dept of Public Safety to try to redesign the program and restart it in early 2004. 3. Civilian inspectors within the Department of Public Safety have authority to cite administrative violations. Local law enforcement agencies do not have the authority to cite administrative violations. Current practice regarding citations for underage sales and fines is in transition as the Bureau of Liquor Enforcement was eliminated in June 2003. 4. Direct media campaigns were not and are not currently planned to be part of the state's compliance check program (primary reason is lack of staff time to implement) 5. State-approved training is not mandated. It is encouraged under the dram shop liability law, but current status of training offerings isn't clear since the Bureau of Liquor Enforcement was responsible for oversight of state-approved training courses as well as delivery of the state-sponsored "Basic" course. 6. Maine's dram shop liability statute is based on the model law cited by the report. 7. Maine has not taken any specific actions to address home delivery (which is allowed) or internet sales (which are not allowed). 8. Maine has not implemented any specific enforcement programs to deter adults from furnishing, other than the education and awareness provided by the "Sticker Shock" program. Some enforcement agencies have begun to investigate and prosecute furnishing cases more aggressively. A Reference Booklet for Law Enforcement Officers, created by OSA and offered to all Maine law enforcement agencies, includes substantial information on furnishing laws. A collaborative OSA/BLE training offered to local depts paid special attention to furnishing, but training has been suspended since June 2003. |
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<p>9. States should require beer keg registration</p> <p>10. States should facilitate enforcement of zero tolerance laws (.00 for under 21 drivers)</p> <p>11. States should enact graduated driver licensing</p> <p>12. States and localities should routinely implement sobriety checkpoints</p> <p>13. Local police, with community leaders, should adopt and announce policies for detecting and terminating underage drinking parties, including:</p> <ul style="list-style-type: none"> -routinely responding to noise complaints and entering premises when there is probable cause to suspect underage drinking -routinely checking, as part of regular weekend patrols, open areas where teen drinking parties are known to occur -routinely citing underage drinkers and whenever possible the person who supplied the alcohol <p>14. States should strengthen efforts to prevent and detect use of false IDs by minors, including laws prohibiting false IDs, issue drivers licenses that can be electronically scanned, allow retailers to confiscate apparently false IDs for law enforcement inspection, implement administrative penalties for attempted false ID use</p> <p>15. States should establish administrative procedures and noncriminal penalties, such as fines and community service, for alcohol infractions by minors</p>	<p>9. Maine has a beer keg registration law – kegs are tagged with an ID number and the retailer must keep the purchaser’s information for 2 years. Local law enforcement must track a keg tag through the relevant distributor to the retailer and then request the purchaser’s information from the retailer.</p> <p>10. Local law enforcement have generally paid substantial attention to zero tolerance laws – they are well publicized and appear to be effectively enforced.</p> <p>11. Maine has just enacted a graduated driver licensing law.</p> <p>12. Sobriety checkpoints are relatively common among many local enforcement agencies.</p> <p>13. Policies for detecting and terminating underage drinking policies have not been assessed across local law enforcement departments.</p> <p>14. The Bureau of Liquor Enforcement was the only agency directly focused on false identification issues. Currently not clear who will be taking this issue on as a priority?</p> <p>15. Non-criminal penalties are in place in the law, but application varies greatly across localities since both local law enforcement and the juvenile corrections officer have a great deal of discretion in handing out penalties to offenders younger than 18 years. Older youth are generally assigned a fine through the court system as a non-criminal summons for possession. Administrative sanctions are in place for illegal transportation.</p>
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*** Compiled by Becca Matusovich, Maine Office of Substance Abuse, September 2003. If you have questions and/or information to contribute regarding Maine’s status in any of these areas, please contact Rebecca.Matusovich@maine.gov.**